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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,464	04/30/2001	Cristi Nesbitt Ullmann	AUS9-2001-0330-US1	3056

7590 08/25/2004

International Business Machines Corporation
Intellectual Property Law Department
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EXAMINER

PESIN, BORIS M

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/845,464	ULLMANN ET AL.	
	Examiner	Art Unit	
	Boris Pesin	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-16, 18-28 and 30-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-16, 18-28 and 30-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the Amendment filed 5/17/2004.
2. Claims 1-4, 6-16, 18-28, and 30-36 are pending in this application. Claims 1, 13, and 25 are independent claims. Claims 1, 13, and 25 were amended and claims 5, 17, and 29 were cancelled. This action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in the prior Office Action.

Claim Rejections - 35 USC § 103

4. Claims 1-4, 6-8, 10-16, 18-20, 22-28, 30-32, and 34-36 are rejected under 35 U.S.C. 103(a) as being obvious over Kiraly et al. ("Kiraly," US006324511B1) in view of Tittel et al. ("Tittel," XML for Dummies, 2nd Edition, Chapter 1).

As per independent claim 1, Kiraly teaches a World Wide Web (Web) network system including a plurality of computer controlled display Web stations for receiving Web pages transmitted over the Web, a system for directing users having different reading skills through a reading of a Web page received at a Web station (column 2, lines 40-47) comprising: means for transmitting a Web page in a plurality of selectable readable modes (column 2, lines 12-18 and column 7, lines 24-28); and at least one of said readable modes including a movable indicator directing the user to read along the Web page in a predetermined orthogonal progressive pattern (column 6, lines 20-23); and means at said receiving web station for selectively displaying said received web

page in said moving indicator mode (column 6, lines 20-23 and column 2, lines 40-47, *i.e. web pages*)

Kiraly does not explicitly disclose a means for transmitting a web page in a markup language comprising control tags enabling the web page to be read in a plurality of selectable modes. Tittel teaches a means for transmitting a web page in a markup language comprising control tags enabling the web page to be read in a plurality of selectable modes (page 20, § “XML: One document, many different outputs”, *i.e. – XML tags enable documents to have a plurality of different readable modes*, and page 17, § “The Power of XML”, *i.e. – user can define control tags to be any attribute*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kiraly with a means for transmitting a web page in a markup language comprising control tags enabling the web page to be read in a plurality of selectable modes, as taught by Tittel, with the motivation to provide different output formats for textual data (page 20, § “XML: One document, many different outputs”)

As per claim 2, which is dependent on claim 1, Kiraly teaches that the indicator is an element highlighting a sequential block of data (column 7, lines 3-5).

As per claim 3, which is dependent on claim 2, Kiraly teaches that the highlighted block of data is brighter than the other data on the Web page (column 7, lines 3-5, *highlighting items implies making them brighter*).

As per claim 4, which is dependent on claim 2, Kiraly teaches that the highlighted block of data has a color different from the color of the other data on the Web page (column 7, lines 21-24).

Claims 13-16 and 25-28 are similar in scope to claims 1-4, respectively, and are therefore rejected under similar rationale.

As per claim 6, which is dependent on claim 2, Kiraly teaches a means for selectively varying the dimensions of said indicator element (column 9, lines 34-37, *i.e.* – *different dimensions*).

As per claim 7, which is dependent on claim 2, Kiraly teaches a means for selectively varying the speed at which the indicator element progressively moves along said page (column 11, lines 8-12).

As per claim 8, which is dependent on claim 2, Kiraly teaches a means for selectively increasing the size of the data in said block relative to the remainder of data on said Web page (column 13, lines 50-60).

Claims 18-20 and 30-32 are similar in scope to claims 6-8, respectively, and are therefore rejected under similar rationale.

As per claim 10, which is dependent on claim 1, Kiraly teaches a means at said receiving Web station for reading said Web page includes a Web browser (column 9, lines 7-12, *i.e.* – *Microsoft Internet Explorer*).

As per claim 11, which is dependent on claim 10, the combination of Kiraly and Tittel teach that the web page is transmitted in Hypertext Markup Language (Tittel, page 21).

As per claim 12, which is dependent on claim 11, Kiraly teaches that the Web page includes text (column 9, lines 7-12); and said highlighted block of text is a grammatical unit (column 7, lines 23-27).

Claims 22-24 and 34-36 are similar in scope to claims 10-12, respectively, and are therefore rejected under similar rationale.

5. Claims 9, 21, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiraly et al. ("Kiraly," US006324511B1) in view of Tittel et al. and further in view of Ryan et al. ("Ryan," US006216143B1).

As per claim 9, which is dependent on claim 4, the teachings of Kiraly and Tittel in regards to claim 4 have been discussed above. The modified Kiraly does not disclose a plurality of said movable indicators wherein each of the highlighted blocks of data within each of said plurality of indicators has a color respectively different from the blocks of data within the other indicators.

Ryan teaches a plurality of said movable indicators wherein each of the highlighted blocks of data within each of said plurality of indicators has a color respectively different from the blocks of data within the other indicators (column 2, lines 23-31). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of the modified Kiraly with a means to display indicators in a plurality of colors different from other indicators, as taught by Ryan, with the motivation to make the process of interpreting a document easier for the reader (column 1, lines 38-41).

Claims 21 and 33 are similar in scope to claim 9 and are therefore rejected under similar rationale.

Response to Arguments

6. Applicant's arguments, see arguments pages 9-13, filed 5/17/2004, with respect to the rejection(s) of claim(s) 1-32 under 35 USC 102b have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Tittel et al. Tittel et al. teach that the use of markup languages, particularly XML, to structure a document is well known in the art and that in light of Kiraly's teachings it would be obvious to perform the functions described by Kiraly using a markup language as taught by Tittel et al. with the motivation to perform the document parsing functions on the server side as opposed to using an application to parse a text document.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (703) 305-8774. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristine Kincaid
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